

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference SCR-PCT-48		FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/FR2004/001198	International filing date (day/month/year) 14.05.2004	Priority date (day/month/year) 16.05.2003	
International Patent Classification (IPC) or national classification and IPC			
Applicant SCHERRER, Jean-Marc			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																	
<p>4. This report contains indications relating to the following items:</p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/> Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/> Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/> Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/> Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/> Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>		<input checked="" type="checkbox"/> Box No. I	Basis of the report	<input type="checkbox"/> Box No. II	Priority	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input checked="" type="checkbox"/> Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/> Box No. VI	Certain documents cited	<input type="checkbox"/> Box No. VII	Certain defects in the international application	<input type="checkbox"/> Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 1-7 _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☒ the claims:
 - nos. 1-4 _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* _____ received by this Authority on _____
 - nos.* _____ received by this Authority on _____
 - ☒ the drawings:
 - sheets 1/3-3/3 _____ as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. IV Lack of unity of invention

1. ☒ In response to the invitation to restrict or pay additional fees the applicant has:
- ☐ restricted the claims.
- ☒ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted the claims nor paid additional fees.
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:
- ☐ complied with.
- ☒ not complied with for the following reasons:

The separate inventions are as follows:

1 to 2

a method for producing a winding by machining;

3 to 4

a winding comprising means for attaching an electrical connection lug.

The above inventions are not so mutually linked as to form a single general inventive concept (PCT Rule 13.1), for the following reasons:

The two inventions have the following technical features in common: "*a winding, in particular for an electric transformer, consisting of a cylindrical tubular metal component having a polygonal cross-section, cut to form a helix*". These technical features are known from the prior art, see for example US 3 656 378. Claims 1 and 3 do not therefore contain the same or corresponding special technical features. Said two claims are therefore not so mutually linked as to form a single general inventive concept.

4. Consequently, this report has been established in respect of the following parts of the international application:

- ☒ all parts.
- ☐ the parts relating to claims Nos. _____

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims 1-4

YES

Claims

NO

Inventive step (IS)

Claims 1-2

YES

Claims 3-4

NO

Industrial applicability (IA)

Claims 1-4

YES

Claims

NO

2. Citations and explanations (Rule 70.7)

1. Reference is made to the following documents:

D1: US-A-3 656 378 (DAVIS ARIEL R) 18 April 1972
(1972-04-18)

D2: EP-A-0 436 434 (SCHERRER FERNAND) 10 July 1991
(1991-07-10)

2. INDEPENDENT CLAIM 1

D1, which is considered to be the prior art closest to the subject matter of claim 1, describes (claim 1; column 2, lines 42 to 69; figures 11 to 12) a method for producing a winding according to the preamble of the present claim 1.

Consequently, the subject matter of claim 1 differs from this known method in that it contains the steps according to the characterising part of the present claim 1.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem that the present invention is intended to solve can be considered to be that of *providing a method for producing a winding that is easy to implement and can be performed quickly and repeatedly by numerically controlled machines.*

The solution to this problem, as proposed in claim 1 of the

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>present application, is considered to involve an inventive step (PCT Article 33(3)) for the following reasons:</p> <p>The inventive method includes only two successive steps (instead of the four steps proposed in the prior art), and requires only one change in the positioning of the tubular component (instead of the three changes required to perform the method according to the prior art). The duration of the method is thus shortened. The risk of errors in the rigorous positioning of one groove relative to the preceding groove is also reduced.</p> <p>3. DEPENDENT CLAIM 2</p> <p>Claim 2 is dependent on claim 1 and thus also complies, as such, with the PCT requirements of novelty and inventive step.</p> <p>4. D1 describes (claims) <i>"a winding, in particular for an electric transformer, consisting of a cylindrical tubular metal component having a polygonal cross-section, cut to form a helix"</i>.</p> <p>4.1 INDEPENDENT CLAIM 3 creuser</p> <p>4.1.1 D1, which is considered to be the most relevant prior art, describes a winding from which the subject matter of independent claim 3 differs by its characterising part.</p> <p>4.1.2 The problem that the present invention is intended to solve can be considered to be that of <i>obtaining virtually any voltage on a winding</i>.</p> <p>4.1.3 Taking D2 into account, the solution proposed in claim 3 of the present application is not considered inventive (PCT Article 33(3)) for the following reasons. D2 describes an alternative solution to the stated problem, from which the</p>

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>proposed solution differs only very slightly, particularly in that the cross-sections of the grooves are T-shaped, which does not appear to result in any special and surprising technical effect relative to D2.</p>
4.1.4	<p>Consequently, a person skilled in the art seeking to solve the stated problem would combine the features described in D1 and D2 without exercising inventive skill. The solution proposed in independent claim 3 cannot be considered to involve an inventive step (PCT Article 33(3)).</p>
5.	<p>DEPENDENT CLAIM 4</p> <p>Claim 4 contains no features which, when combined with the features of any one of the claims to which it refers, comply with the PCT requirements of novelty and inventive step (PCT Article 33(2) and (3)).</p>
6.	<p>INDUSTRIAL APPLICABILITY</p> <p>The invention describes a method for producing a winding suitable for use in an electric transformer, which is clearly industrially applicable.</p>

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